

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RONALD ELLIOTT,
Plaintiff,

DEMAND FOR JURY TRIAL

v.

I.C. SYSTEM, INC.,
Defendant.

COMPLAINT AND JURY DEMAND

**NOW COMES THE PLAINTIFF, RONALD ELLIOTT, THROUGH
COUNSEL, CREDIT REPAIR LAWYERS OF AMERICA, BY GARY D.
NITZKIN, and for his Complaint against the Defendant, pleads as follows:**

JURISDICTION

1. This is an action for damages, brought against a debt collector for violating the Fair Debt Collection Practices Act at 15 U.S.C. § 1692 et seq. ("FDCPA"), Michigan Collection Practices Act at M.C.L. § 445.251 et seq. ("MCPA") and the Michigan Occupational Code at M.C.L. § 339.901 et seq. ("MOC").

VENUE

2. The transactions and occurrences which give rise to this action occurred in Wayne County, Michigan.
3. Venue is proper in the Eastern District of Michigan.

PARTIES

4. Plaintiff is a natural person residing in Trenton, Wayne County, Michigan.
5. The Defendant to this lawsuit is I.C. System, Inc., which is a foreign corporation that conducts business in Wayne County, Michigan.

GENERAL ALLEGATIONS

6. Defendant is attempting to collect a consumer debt in the amount \$239.00 to AT&T (“the alleged Debt”).
7. On or about May 17, 2017, Mr. Elliott obtained his credit files and noticed that Defendant reported the alleged Debt.
8. On or about August 4, 2017, Mr. Elliott submitted a letter to Defendant disputing the alleged Debt.
9. On or about April 5, 2016, Mr. Elliott obtained his Equifax credit file and noticed that Defendant failed to flag the alleged Debt as disputed on his credit file, in violation of the FDCPA.

10.Mr. Elliott has suffered pecuniary and emotional damages as a result of Defendant's actions.

COUNT I

VIOLATION OF THE FAIR DEBT COLLECTION PRACTICES ACT

11.Plaintiff reincorporates the preceding allegations by reference.

12.At all relevant times Defendant, in the ordinary course of its business, regularly engaged in the practice of collecting debts on behalf of other individuals or entities.

13.Mr. Elliott is a "consumer" for purposes of the FDCPA and the account at issue in this case is a consumer debt.

14.Defendant is a "debt collector" under the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. §1692a(6).

15.Defendant's foregoing acts in attempting to collect this alleged debt violated the following provisions of the FDCPA:

- a. 15 U.S.C. §1692e(8) by failing to communicate that a disputed debt is disputed. Defendant did this when it continued to report the alleged Debt on Mr. Elliott's credit file without indicating that he disputed the alleged Debt.

16.Mr. Elliott has suffered economic, emotional, general and statutory damages as a result of these violations of the FDCPA.

WHEREFORE, PLAINTIFF PRAYS THAT THIS COURT grant him damages plus costs, interest and attorneys' fees as provided by the Fair Debt Collection Practices Act.

JURY DEMAND

Plaintiff hereby demands a trial by Jury.

Respectfully submitted,

Dated: October 16, 2017

/s/ Gary Nitzkin
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